

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

APR 26 2015

David J. Bradley, Clerk

UNITED STATES OF AMERICA  
V.

## CRIMINAL COMPLAINT

San Juana Hernandez-Benitez  
A202 085 470

YOB:

1962

Principal  
the United Mexican StatesCase Number:  
M-15-0651-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 23, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Lucia Lopez-Guadalupe and Maria del Rocio Martinez-Toribio, citizens and nationals of Mexico, along with nine (9) other undocumented aliens, for a total of eleven (11), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONYI further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 24, 2015, Weslaco Border Patrol Agents responded to a call of assistance made by Pharr Police Department of a possible stash house at 209 E. Caffrey in Pharr, Texas. Pharr Police Department received a 911 call from someone in the house stating that several subjects were being kept in the house under deplorable conditions. Pharr Police Officers were able to locate the location of the call and performed a welfare check at that residence. Pharr Police Officers performed a search of the residence and discovered thirteen subjects inside. Border Patrol Agents arrived on scene and questioned all thirteen subjects as to their immigration status and determined they were all illegally present in the United States. All thirteen subjects were transported to the Weslaco Border Patrol Station for further processing.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

April 26, 2015  
Date4:08 pm

at

McAllen, Texas  
City and StatePeter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Complainant

Israel Perez Senior Patrol Agent  
Printed Name of Complainant

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15-0651-M**

**RE: San Juana Hernandez-Benitez**

**A202 085 470**

**CONTINUATION:**

**PRINCIPAL'S STATEMENT:**

San Juana Hernandez-Benitez was read her Miranda rights. HERNANDEZ stated she was not willing to provide a statement and requested the presence of an attorney.

**MATERIAL WITNESS STATEMENTS:**

The material witnesses were read their rights and agreed to answer questions without the presence of an attorney.

1. Lucia Lopez-Guadalupe stated she made her smuggling arrangements with a man named Damian over the phone in Matamoros, Tamaulipas and was going to pay \$2500 USD. She stated that Damian drove her to Reynosa, Tamaulipas. She stated that she illegally crossed the Rio Grande River on April 24, 2015 near Hidalgo, Texas. After crossing she was picked up by a green truck and taken to an unknown house. LOPEZ stated that she was then taken to a second house where she was arrested. LOPEZ stated she saw Damian speak with a woman who was in charge of the house. She stated that this woman would feed the people in her house and give them instructions. She described the house as small and crowded with one mattress. Also, the home was hot with no ventilation system or windows.

LOPEZ further stated that the woman in charge knew that all the people in her home were illegal aliens because she asked her if she had her documents and she answered no. LOPEZ was shown a Department of Homeland Security Photo Lineup and positively identified San Juana Hernandez-Benitez as the caretaker of the residence.

2. Maria Del Rocio Martinez-Toribio stated she made her smuggling arrangements with an unknown man in Reynosa, Tamaulipas and was going to pay \$1300 USD. She stated she crossed the Rio Grande River illegally on April 22, 2015 near Hidalgo, Texas. She further stated that after she crossed she was taken to a Wal-Mart Store in McAllen, Texas and then taken to the house she was arrested at. MARTINEZ stated that the woman in charge of the house told her not to go outside and gave her and the other people food and water. MARTINEZ stated the house had one bed that the females slept on while the males of the group slept on the floor. MARTINEZ was shown a Department of Homeland Security Photo Lineup and positively identified San Juana Hernandez-Benitez as the caretaker of the residence.